

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X	:	
MALIBU MEDIA, LLC,	:	
	:	Case No. 2:17-cv-01081-SJF-SIL
Plaintiff,	:	
	:	Judge Feuerstein
vs.	:	
	:	
JOHN DOE subscriber assigned IP address	:	
69.115.162.141,	:	
	:	
Defendant.	:	
-----X	:	

DECLARATION OF KEVIN T. CONWAY PURSUANT TO LOCAL CIVIL RULE 1.4

IN SUPPORT OF STIPULATION FOR SUBSTITUTION OF COUNSEL

1. I am an attorney admitted to practice before the courts of the State of New York and the United States District Court for the Southern District of New York and Eastern District of New York.

2. I respectfully submit this declaration in support of the stipulation and order substituting myself, for The James Law Firm PLLC., and its attorney Jaqueline M. James, Esq., as counsel of record for Plaintiff Malibu Media, LLC in the above-captioned action.

3. Malibu Media, LLC has requested that I represent it in this action and has consented to the withdrawal of The James Law Firm PLLC., and its attorney Jaqueline M. James, Esq. Malibu Media LLC's Client Notice of Consent is annexed hereto as Exhibit "A."

4. The Complaint was filed on February 25, 2017 (D.E. 1), and Plaintiff's time to serve the Complaint was extended by Order to and including September 23, 2017. The case is not set for trial.

5. I respectfully submit that the substitution of counsel will not unnecessarily delay this action or prejudice any party, and therefore respectfully request that the Court approve the Stipulation and Order of Substitution of Counsel submitted herewith.

6. The outgoing law firm, The James Law Firm PLLC., and its attorney Jaqueline M. James, Esq., does assert a charging or retaining lien.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2017

/s/ Kevin T. Conway

Kevin T. Conway

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2017, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Kevin T. Conway

Kevin T. Conway

NY Bar No.: 2133304

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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MALIBU MEDIA, LLC,	:
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Plaintiff,	:
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vs.	:
	:
JOHN DOE subscriber assigned IP address	:
69.115.162.141,	:
	:
Defendant.	:
-----X	

Case No. 2:17-cv-01081-SJF-SIL
Judge Feuerstein

STIPULATION AND ORDER OF SUBSTITUTION OF COUNSEL

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, and with the client's consent, pursuant to Local Civil Rule 1.4 that Kevin T. Conway, Esq., hereby is substituted in place of The James Law Firm PLLC., and its attorney Jaqueline M. James, Esq. as counsel of record for Plaintiff Malibu Media, LLC in the above-captioned action. The James Law Firm is asserting a retaining and/or charging lien in this case.

A supporting declaration, pursuant to Local Civil Rule 1.4, which includes written consent of client is attached hereto.

PLEASE TAKE NOTICE that all pleadings, notices of hearing, and other filings in this matter should be served upon the following incoming counsel:

Kevin T. Conway
kconway@ktclaw.com
664 Chestnut Ridge Road
Spring Valley, NY 10977-6201
T: (845) 352 0206
F: (845) 352 0481

Dated: August 1, 2017

The James Law Firm PLLC., By: <u>/s/ Jaqueline M. James</u> Jaqueline M. James-1845 jjameslaw@optonline.net The James Law Firm 445 Hamilton Ave., Suite 1102 White Plains, N.Y. 10610-1832 T: (914) 358 6423 F: (914) 358 6424	Kevin T. Conway, Esq., By: <u>/s/ Kevin T. Conway</u> Kevin T. Conway, Esq. NY Bar No.: 2133304 kconway@ktclaw.com 664 Chestnut Ridge Road Spring Valley, NY 10977-6201 T: (845) 352 0206 F: (845) 352 0481
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SO ORDERED:

_____, 2017

The Honorable

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2017, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Kevin T. Conway
Kevin T. Conway
NY Bar No.: 2133304

CONSENT OF CLIENT TO SUBSTITUTION OF COUNSEL

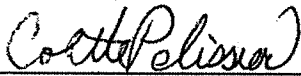
The undersigned, Colette Pelissier, Member, on behalf of MALIBU MEDIA, LLC, consents to the substitution of attorney Kevin T. Conway, Esq., in place of the law firm James & Associates and its attorney Jaqueline M. James, Esq., as counsel of record for Plaintiff Malibu Media LLC in the following actions and agrees that substitution of counsel in these actions shall not be used as grounds for a continuance:

- I. United States District Court for the District of Connecticut
 - a. 3:16-cv-01260-JAM, Malibu Media, LLC v. Doe
 - b. 3:17-cv-00189-JAM, Malibu Media, LLC v. Doe
 - c. 3:17-cv-00195-JAM, Malibu Media, LLC v. Doe
 - d. 3:17-cv-00221-VAB, Malibu Media, LLC v. Doe
 - e. 3:17-cv-00223-VAB, Malibu Media, LLC v. Doe
 - f. 3:17-cv-00225-VLB, Malibu Media, LLC v. Doe
 - g. 3:17-cv-00227-JCH, Malibu Media, LLC v. Doe
 - h. 3:17-cv-00229-MPS, Malibu Media, LLC v. Doe
 - i. 3:17-cv-00250-SRU, Malibu Media, LLC v. Doe
 - j. 3:17-cv-00253-JAM, Malibu Media, LLC v. Doe
 - k. 3:17-cv-00254-VLB, Malibu Media, LLC v. Doe
 - l. 3:17-cv-00256-JCH, Malibu Media, LLC v. Doe
 - m. 3:17-cv-00258-VLB, Malibu Media, LLC v. Doe
 - n. 3:17-cv-00259-VAB, Malibu Media, LLC v. Doe
 - o. 3:17-cv-00273-VLB, Malibu Media, LLC v. Doe
 - p. 3:17-cv-00274-AWT, Malibu Media, LLC v. Doe
 - q. 3:17-cv-00275-SRU, Malibu Media, LLC v. Doe
 - r. 3:17-cv-00278-VAB, Malibu Media, LLC v. Doe
 - s. 3:17-cv-00279-AWT, Malibu Media, LLC v. Doe
 - t. 3:17-cv-00280-VAB, Malibu Media, LLC v. Doe
- II. United States District Court for the Eastern District of New York
 - a. 2:15-cv-02721-JS-SIL, Malibu Media, LLC v. Doe
 - b. 2:15-cv-03499-JFB-SIL, Malibu Media, LLC v. Doe
 - c. 2:15-cv-04796-JMA-SIL, Malibu Media, LLC v. Doe
 - d. 2:17-cv-01079-LDW-SIL, Malibu Media, LLC v. Doe
 - e. 2:17-cv-01081-SJF-SIL, Malibu Media, LLC v. Doe
 - f. 2:17-cv-01082-ADS-SIL, Malibu Media, LLC v. Doe
 - g. 2:17-cv-01084-LDW-SIL, Malibu Media, LLC v. Doe ;
 - h. 15-cv-2721-JS-SIL, Malibu Media, LLC v. Doe
 - i. 15-cv-3496-JFB-SIL, Malibu Media, LLC v. Doe
 - j. 15-cv-4796-JMA-SIL, Malibu Media, LLC v. Doe
 - k. 15-cv-3492-DRH-SIL, Malibu Media, LLC v. Doe

III. United States District Court for the Southern District of New York

- a. 7:14-cv-10167-KMK, Malibu Media, LLC v. Doe
- b. 1:15-cv-10138-KMW, Malibu Media, LLC v. Doe
- c. 1:16-cv-01233-VEC, Malibu Media, LLC v. Doe
- d. 1:16-cv-05846-NSR, Malibu Media, LLC v. Doe
- e. 7:16-cv-05851-CS, Malibu Media, LLC v. Doe
- f. 1:17-cv-00983-PAE, Malibu Media, LLC v. Doe
- g. 1:17-cv-00985-JMF, Malibu Media, LLC v. Doe
- h. 1:17-cv-01067-DAB, Malibu Media, LLC v. Doe
- i. 1:17-cv-01068-PKC, Malibu Media, LLC v. Doe
- j. 1:17-cv-01069-KPF, Malibu Media, LLC v. Doe
- k. 1:17-cv-01070-PAC, Malibu Media, LLC v. Doe
- l. 1:17-cv-01072-LAP, Malibu Media, LLC v. Doe
- m. 1:17-cv-01074-LGS, Malibu Media, LLC v. Doe
- n. 1:17-cv-01075-VSB, Malibu Media, LLC v. Doe
- o. 1:17-cv-01076-ALC, Malibu Media, LLC v. Doe
- p. 1:17-cv-01078-KPF, Malibu Media, LLC v. Doe
- q. 1:17-cv-01088-VM, Malibu Media, LLC v. Doe
- r. 1:17-cv-01099-PAE, Malibu Media, LLC v. Doe
- s. 1:17-cv-01100-NRB, Malibu Media, LLC v. Doe
- t. 1:17-cv-01101-PAC, Malibu Media, LLC v. Doe ;
- u. 15-cv-4725-CS, Malibu Media, LLC v. Doe

Respectfully Submitted,



Colette Pelissier

Member

Malibu Media, LLC

ADDENDUM

The following actions are to be added to the list titled “Consent of Client to Substitution of Counsel” in which MALIBU MEDIA, LLC consents to the substitution of attorney Kevin T. Conway, Esq. in place of Jaqueline M. James, Esq. as counsel of records for Plaintiff:

- I. United States District Court for the District of Connecticut
 - a. 17-cv-00190-SRC, Malibu Media, LLC v. Doe
- II. United States District Court for the Eastern District of New York
 - a. 15-cv-05298-ADS-SIL, Malibu Media, LLC v. Doe
 - b. 15-cv-05299-JFB-SIL, Malibu Media, LLC v. Doe
- III. United States District Court for the Southern District of New York
 - a. 15-cv-04728-NSR, Malibu Media, LLC v. Doe